

TITLE 77: PUBLIC HEALTH  
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SUBCHAPTER b: HOSPITALS AND AMBULATORY CARE FACILITIES

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300 AUTHORITY: Implementing and authorized by the Hospital Licensing Act [210 ILCS 85].

301

SOURCE: Rules repealed and new rules adopted August 27, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 21, p. 49, effective May 16, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 45, p. 85, effective November 6, 1978; amended at 3 Ill. Reg. 17, p. 88, effective April 22, 1979; amended at 4 Ill. Reg. 22, p. 233, effective May 20, 1980; amended at 4 Ill. Reg. 25, p. 138, effective June 6, 1980; amended at 5 Ill. Reg. 507, effective December 29, 1980; amended at 6 Ill. Reg. 575, effective December 30, 1981; amended at 6 Ill. Reg. 1655, effective January 27, 1982; amended at 6 Ill. Reg. 3296, effective March 15, 1982; amended at 6 Ill. Reg. 7835 and 7838, effective June 17, 1982; amended at 7 Ill. Reg. 962, effective January 6, 1983; amended at 7 Ill. Reg. 5218 and 5221, effective April 4, 1983 and April 5, 1983; amended at 7 Ill. Reg. 6964, effective May 17, 1983; amended at 7 Ill. Reg. 8546, effective July 12, 1983; amended at 7 Ill. Reg. 9610, effective August 2, 1983; codified at 8 Ill. Reg. 19752; amended at 8 Ill. Reg. 24148, effective November 29, 1984; amended at 9 Ill. Reg. 4802, effective April 1, 1985; amended at 10 Ill. Reg. 11931, effective September 1, 1986; amended at 11 Ill. Reg. 10283, effective July 1, 1987; amended at 11 Ill. Reg. 10642, effective July 1, 1987; amended at 12 Ill. Reg. 15080, effective October 1, 1988; amended at 12 Ill. Reg. 16760, effective October 1, 1988; amended at 13 Ill. Reg. 13232, effective September 1, 1989; amended at 14 Ill. Reg. 2342, effective February 15, 1990; amended at 14 Ill. Reg. 13824, effective September 1, 1990; amended at 15 Ill. Reg. 5328, effective May 1, 1991; amended at 15 Ill. Reg. 13811, effective October 1, 1991; amended at 17 Ill. Reg. 1614, effective January 25, 1993; amended at 17 Ill. Reg. 17225, effective October 1, 1993; amended at 18 Ill. Reg. 11945, effective July 22, 1994; amended at 18 Ill. Reg. 15390, effective October 10, 1994; amended at 19 Ill. Reg. 13355, effective September 15, 1995; emergency amendment at 20 Ill. Reg. 474, effective January 1, 1996, for a maximum of 150 days; emergency expired May 29, 1996; amended at 20 Ill. Reg. 3234, effective February 15, 1996; amended at 20 Ill. Reg. 10009, effective July 15, 1996; amended at 22 Ill. Reg. 3932, effective February 13, 1998; amended at 22 Ill. Reg. 9342, effective May 20, 1998; amended at 23 Ill. Reg. 1007, effective January 15, 1999; emergency amendment at 23 Ill. Reg. 3508, effective March 4, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 9513, effective August 1, 1999; amended at 23 Ill. Reg. 13913, effective November 15, 1999; amended at 24 Ill. Reg. 6572, effective April 11, 2000; amended at 24 Ill. Reg. 17196, effective November 1, 2000; amended at 25 Ill. Reg. 3241, effective February 15, 2001; amended at 27 Ill. Reg. 1547, effective January 15, 2003; amended at 27 Ill. Reg. 13467, effective July 25, 2003; amended at 28 Ill. Reg. 5880, effective March 29, 2004; amended at 28 Ill. Reg. 6579, effective April 15, 2004; amended at 29 Ill. Reg. 12489, effective July 27, 2005; amended at 31 Ill. Reg. 4245, effective February 20, 2007; amended at 31 Ill. Reg. 14530, effective October 3, 2007; amended at 32 Ill. Reg. 3756, effective February 27, 2008; amended at 32 Ill. Reg. 4213, effective March 10, 2008; amended at 32 Ill. Reg. 7932, effective May 12, 2008; amended at 32 Ill. Reg. 14336, effective August 12, 2008; amended at 33 Ill. Reg. 8306, effective June 2, 2009; amended at 34 Ill. Reg. 2528, effective January 27, 2010; amended at 34 Ill. Reg. 3331, effective February 24, 2010; amended at 34 Ill. Reg. 19031, effective November 17, 2010; amended at 34 Ill. Reg. 19158, effective November 23, 2010; amended at 35 Ill. Reg. 4556, effective March 4, 2011; amended at 35 Ill. Reg. 6386, effective March 31, 2011; amended at 35 Ill. Reg. 13875, effective



345 August 1, 2011; amended at 36 Ill. Reg. 17413, effective December 3, 2012; amended at 38 Ill.  
 346 Reg. 13280, effective June 10, 2014; amended at 39 Ill. Reg. 5443, effective March 25, 2015;  
 347 amended at 39 Ill. Reg. 13041, effective September 3, 2015; amended at 41 Ill. Reg. 7154,  
 348 effective June 12, 2017; amended at 41 Ill. Reg. 14945, effective November 27, 2017; amended  
 349 at 42 Ill. Reg. 9507, effective May 24, 2018; amended at 43 Ill. Reg. 3889, effective March 18,  
 350 2019; amended at 43 Ill. Reg. 12990, effective October 22, 2019; emergency amendment at 44  
 351 Ill. Reg. 5934, effective March 25, 2020, for a maximum of 150 days; emergency expired August  
 352 21, 2020; emergency amendment at 44 Ill. Reg. 7788, effective April 16, 2020, for a maximum  
 353 of 150 days; emergency repeal of emergency amendment at 44 Ill. Reg. 14333, effective August  
 354 24, 2020; emergency amendment at 44 Ill. Reg. 14804, effective August 24, 2020, for a  
 355 maximum of 150 days; emergency expired January 20, 2021; amended at 44 Ill. Reg. 18379,  
 356 effective October 29, 2020; emergency amendment at 45 Ill. Reg. 1202, effective January 8,  
 357 2021, for a maximum of 150 days; emergency amendment expired June 6, 2021; emergency  
 358 amendment at 45 Ill. Reg. 1715, effective January 21, 2021, for a maximum of 150 days;  
 359 emergency expired June 19, 2021; emergency amendment at 45 Ill. Reg. 7544, effective June 7,  
 360 2021, for a maximum of 150 days; emergency expired November 3, 2021; emergency  
 361 amendment at 45 Ill. Reg. 8096, effective June 15, 2021, for a maximum of 150 days; emergency  
 362 expired November 11, 2021; emergency amendment at 45 Ill. Reg. 8503, effective June 20,  
 363 2021, for a maximum of 150 days; emergency expired November 16, 2021; emergency  
 364 amendment at 45 Ill. Reg. 11907, effective September 17, 2021, for a maximum of 150 days;  
 365 emergency expired February 13, 2022; emergency amendment at 45 Ill. Reg. 14519, effective  
 366 November 4, 2021, for a maximum of 150 days; emergency expired April 2, 2022; emergency  
 367 amendment at 45 Ill. Reg. 15115, effective November 12, 2021, through December 31, 2021;  
 368 emergency amendment at 45 Ill. Reg. 15375, effective November 17, 2021, for a maximum of  
 369 150 days; emergency expired April 15, 2022; emergency amendment at 46 Ill. Reg. 1911,  
 370 effective January 13, 2022, for a maximum of 150 days; emergency expired June 11, 2022;  
 371 emergency amendment at 46 Ill. Reg. 3208, effective February 14, 2022, for a maximum of 150  
 372 days; emergency expired July 13, 2022; emergency amendment at 46 Ill. Reg. 6142, effective  
 373 April 3, 2022, for a maximum of 150 days; emergency expired August 30, 2022; emergency  
 374 amendment at 46 Ill. Reg. 6808, effective April 16, 2022, for a maximum of 150 days;  
 375 emergency expired September 12, 2022; amended at 46 Ill. Reg. 8914, effective May 12, 2022;  
 376 emergency amendment at 46 Ill. Reg. 10950, effective June 12, 2022, for a maximum of 150  
 377 days; emergency amendment to emergency rule at 46 Ill. Reg. 12643, effective July 6, 2022, for  
 378 the remainder of the 150 days; emergency expired November 8, 2022; emergency amendment at  
 379 46 Ill. Reg. 13344, effective July 14, 2022, for a maximum of 150 days; emergency amendment  
 380 to emergency rule at 46 Ill. Reg. 18185, effective October 27, 2022, for the remainder of the 150  
 381 days; emergency expired December 10, 2022; emergency amendment at 46 Ill. Reg. 15824,  
 382 effective August 31, 2022, for a maximum of 150 days; emergency expired January 27, 2023;  
 383 amended at 46 Ill. Reg. 15597, effective September 1, 2022; emergency amendment at 46 Ill.  
 384 Reg. 16271, effective September 13, 2022, for a maximum of 150 days; emergency expired  
 385 February 9, 2023; emergency amendment at 46 Ill. Reg. 18902, effective November 9, 2022, for  
 386 a maximum of 150 days; emergency expired April 7, 2023; amended at 46 Ill. Reg. 18995,  
 387 effective November 10, 2022; emergency amendment at 46 Ill. Reg. 20211, effective December

11, 2022, for a maximum of 150 days; emergency expired May 9, 2023; emergency amendment at 47 Ill. Reg. 2189, effective January 28, 2023, for a maximum of 150 days; emergency expired June 26, 2023; emergency amendment at 47 Ill. Reg. 2862, effective February 10, 2023 through May 11, 2023; amended at 47 Ill. Reg. 6477, effective April 27, 2023; SUBPART G Recodified at 47 Ill. Reg. 7030; emergency amendment at 47 Ill. Reg. 8896, effective June 8, 2023, for a maximum of 150 days; emergency amendment at 47 Ill. Reg. 9499, effective June 27, 2023, for a maximum of 150 days; emergency expired November 23, 2023; amended at 47 Ill. Reg. 14455, effective September 26, 2023; amended at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_

## SUBPART B: ADMINISTRATION AND PLANNING

### Section 250.300 At-Home Patient Care Waivers

- a) To adequately respond to COVID-19, a hospital may apply for an Acute Hospital Care at Home waiver from the requirements of 42 CFR 482.23(b) and (b)(1) to provide limited inpatient services directly in a patient's home. The waiver application may be found at <https://qualitynet.cms.gov/acute-hospital-care-at-home>.
- b) A participating hospital with an approved waiver from the Centers for Medicare and Medicaid Services (CMMS) shall provide the Department with the following:
  - 1) A copy of the CMMS-approved Medicare waiver;
  - 2) A copy of the participating hospital's screening protocol to determine patient eligibility for the at-home, inpatient services; and
  - 3) A copy of the participating hospital's policy and procedures for clinical management of inpatients at home.
- c) The Department will conduct any complaint investigation, survey, or inspection of the participating hospital, request any documentation, and require corrective action pursuant to its State licensure authority.
- d) A participating hospital also shall meet the following requirements:
  - 1) Provide safe and quality care to each patient in their home;
  - 2) Prohibit all abuse of a patient by an administrator, agent, employee, or member of its medical staff and, in addition, comply with the abuse and neglect reporting requirements of Section 250.260 for suspected occurrences;

- 3) Ensure access to health care information and services for limited English-speaking or non-English speaking patients, in compliance with Section 250.265;
- 4) Administer no medication, treatment, or diagnostic test to a patient except on a written or verbal order, if necessary, by a licensed medical professional acting within his or her scope of practice;
- 5) Ensure nursing services are under the direction of a registered nurse who has qualifications in nursing administration;
- 6) Maintain an adequate, timely, and complete medical record for each patient receiving at-home care in compliance with Section 250.1510;
- 7) Comply with incident reporting requirements in subsection 250.1520(f);
- 8) Ensure all drugs and medicines are stored and dispensed in compliance with subsections 250.2110(f) and (g); and
- 9) Comply with all directives and guidance related to COVID-19 diagnosis and treatment from the Centers for Disease Control and Prevention, the Department, other State of Illinois agencies, and any applicable local public health departments.

(Source: Added at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)